



## Committee on Community Resources and the Northampton City Council

### Members:

Councilor Dennis P. Bidwell  
Councilor Maureen T. Carney  
Councilor Alisa F. Klein  
Councilor Gina-Louise Sciarra

### **Meeting Minutes**

Date: February 22, 2016

Time: 5:00 pm

Location: City Council Chambers  
212 Main St., Northampton, Massachusetts

#### **1. Meeting Called to Order and Roll Call**

At 5:00 pm Councilor Carney called the meeting to order. Present were Councilors Carney, Bidwell, Klein and Sciarra. No other City Councilors were present.

#### **2. Public Comment: None**

#### **3. Election of Committee Chair and Vice-Chair**

Councilor Bidwell moved to open nominations for committee chair; Councilor Klein seconded the motion. The motion was approved on a voice vote of 4 Yes, 0 No.

Councilor Klein moved to nominate Councilor Sciarra as committee chair; Councilor Bidwell seconded the motion.

Councilor Bidwell moved to close nominations; Councilor Klein seconded the motion. The motion was approved on a voice vote of 4 Yes, 0 No.

Councilor Sciarra was elected as the committee's chair on a voice vote of 4 Yes, 0 No.

Councilor Sciarra took over as Chair of the committee.

Councilor Bidwell moved to open nomination for vice-chair; Councilor Carney seconded the motion. The motion was approved on a voice vote of 4 Yes, 0 No.

Councilor Sciarra moved to nominate Councilor Bidwell for vice-chair; Councilor Carney seconded the motion.

Councilor Carney moved to close nominations for vice-chair; Councilor Klein seconded the motion.

The committee voted in favor of Councilor Bidwell as vice-Chair on a voice vote of 4 Yes, 0 No.

#### **4. Approval of Committee Calendar for 2016:** Councilor Carney moved to approve the committee calendar; Councilor Klein seconded the motion.

Councilor Carney noted that the dates presented to the committee did not reflect the third Monday of each month. She provided an alternative list of dates. Councilor Bidwell moved to accept the dates as amended; Councilor Carney seconded the motion. The motion was approved on a voice vote of 4 Yes, 0 No. The 2016 committee dates are as follows:

February 22, 2016  
March 21, 2016  
April 19 (Tues. 6:00 pm)  
May 16, 2016  
June 20, 2015  
July 18, 2016  
There will be no meeting in August  
September 19, 2016  
October 17, 2016  
November 21, 2016  
December 19, 2016

5.

## **5. Items Referred to Committee**

Councilor Klein moved to take the ordinances out of order since it was not yet time for the public hearing to begin. Councilor Carney seconded the motion; the motion was approved on a voice vote of 4 Yes, 0 No. The committee discussed Item C before the public hearings.

At 5:17 p.m. Councilor Bidwell moved to open the public hearing regarding the ordinance pertaining to LED Lighting and the ordinance regarding zoning for significant trees. Councilor Carney seconded the motion. The motion was approved on a voice vote of 4 Yes, 0 No.

Councilor Sciarra read the ad that appeared in the Daily Hampshire Gazette which announced the public hearing. The ads appeared on February 8<sup>th</sup> and 16<sup>th</sup>.

### **A. 16.005 Ordinance pertaining to LED Lighting - Referred to committee on Feb. 4, 2016**

Carolyn Misch spoke in favor of the ordinance changes. It was introduced by the Planning Office and the Planning Board. The sign section in the city has been tweaked over the last 10-20 years. The Board took this opportunity to update the code.

Regarding lighting for signs, Ms. Misch reports that there have been several improvements to lighting technology over the last several years. Many businesses are interested in improving their signage using the newest technology, especially to improve energy efficiency. The ordinance addresses on-property signs. Billboard and Off-premises signs are not included in the update.

Advertisers are prohibited from using dynamic display panels and LED lighting on Billboards. Flashing lights have been regulated since 1975; since that time, jurisdiction to oversee fell between the following: Police Chief, Planning Board, and the Board of Health. Safety concerns exist when signs change frequently; this ordinance will codify what had been loosely enforced during the past three years. The new codes will also identify what signs might be allowed in residential vs. commercial districts.

Ms. Misch went through the ordinance to define what is currently allowed. The proposed changes will make greater distinctions between residential and commercial districts. The American Association of State Highway and Transportation Officials commissioned a report in 2009 that focused on safety surrounding the use of signs. The Planning Board used this information when deciding their criteria for signage. They looked at stationary and mobile signs, movie and “real” or live images and the intensity of the lighting. The

report also talks about the effects of displaying single or multiple messages across screens and signs. Too much information can be distracting to drivers. There are already a few LED signs around Northampton.

AASHTO recommended that cities and towns use longer interval times between sign changes (if moving). They recommend that flashing standards be codified and not be left to interpreting subjective standards. Signs should be evaluated based on impact within the district, including the size of the sign, and the display vs. off times. Finally, signs with dynamic display panels should be restricted as to the percentage of the sign with the dynamic display panel.

The Planning Board is recommending some clean up of the entire text for clarification. They also suggest addressing safety issues and specifying standards for LED light levels and transition timing. The concerns would be addressed by district; light levels and hours will be different for residential vs. commercial districts. The ordinance does not address signs in commercial windows; neon-type signs have always been allowed, and will continue to be allowed in storefronts. The Planning board felt that restricting LED signs in commercial districts was not appropriate.

Ms. Mish did point out that the ordinance would only be addressing new signs; older style signs would be "grandfathered" unless any of the existing retailers were to change out their current signs.

Ms. Misch introduced the proposed changes in the document, including definitions.

When determining the ordinances for sign display changes in the residential district, the Planning Board took into account what impact frequently changing signs might have. They also considered what other communities around the country were allowing. They also considered the readability of the sign given the overall size limitations and the time constraints when a sign will be allowed to be lit.

Ms. Misch indicated that since the ordinance was drafted, the Planning Board asked for addition changes to be introduced. The first was to section 7.2.B allowing for directional signs; this was primarily written for the business districts. The Planning Board requested the language be clarified. Second, Section 7.2.E changes will no longer allow for special permits allowing taller signs. 7.2.M allows the Board of Appeals to allow a special permit for more than one sign, however, the height restrictions will not be waived.

There were no opponents to the ordinance.

#### **B. 15.377 Ordinance regarding zoning for significant trees - referred to committee in Feb. 4, 2016**

Ms. Misch explained that this ordinance was introduced and commented upon last fall (2015). A public hearing took place during the Committee on Rules, Orders, Appointments and Ordinances. Once the Public Hearing took place, the city council had 90 days in which to act upon the ordinance. Once the 90 days passed, the city council is required to hold another public hearing. The public hearing that is being held today satisfies the requirement for a second public hearing.

Because Section 290 is being removed from the code book, any references to that section should be replaced by "Rules and Regulations regarding subdivision of land" and cite the specific paragraph, if appropriate.

There were no opponents to the ordinance.

At 6:10 p.m. Councilor Bidwell moved to close both public hearings; Councilor Carney seconded the motion. The motion was approved on a voice vote of 4 Yes, 0 No.

#### **Deliberation regarding 16.005 (LED Lighting)**

Councilor Carney moved to forward ordinance 16.005 regarding LED lighting as amended to the full city council with a positive recommendation; Councilor Klein seconded the motion. The motion was approved on a voice vote of 4 Yes, 0 No.

Councilor Sciarra indicated that the 30-minute time delay to change messages seems like a long period of time. Ms. Misch indicated that advertisers could organize the information on the sign to maximize the message(s) since there are (usually) three lines on the sign (similar to the one at the high school).

#### **Deliberation regarding 15.377 (Zoning for Significant Trees)**

Councilor Carney moved to forward ordinance 15.377 regarding zoning for significant trees to the full city council with a positive recommendation with the amendment to change the reference to the city code book section 290; Councilor Klein seconded the motion. The motion was approved on a voice vote of 4 Yes, 0 No.

#### **C. 16.028 Ordinance to delete Chapter 290 from City Code Book - referred to committee on Feb. 4, 2016**

Councilor Carney moved to place the ordinance on the floor for discussion; Councilor Bidwell seconded the motion.

Carolyn Misch, Senior Land Planner for the city indicated that subdivision regulations were the sole discretion of the Planning Board under state statute. As a result, they should be removed from the code book of ordinances that require City Council review and approval. There are no changes being proposed and the regulations will be published by the Planning Department, likely on their webpage.

Councilor Sciarra read the ordinance into the record. Councilor Carney moved to return the order back to the city council with a positive recommendation; Councilor Klein seconded the motion. The motion was approved on a voice vote of 4 Yes, 0 No.

6. **New Business** –The committee was notified earlier in the day that a committee study request would be announced at the next city council meeting. The request was read into the record by Councilor Sciarra as an FYI. Councilor Carney noted that she is aware of work being done by area agencies to address certain worker issues, specifically in the restaurant industry. She suggested that the committee place this item on the agenda for the next meeting and that the committee will focus on ways to address the request.
7. **Adjourn At 6:30 p.m. Councilor Klein moved to adjourn the meeting; councilor Carney seconded the motion. The motion was approved on a voice vote of 4 Yes, 0 No.**

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